

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicants: Damir et al.

Attorney Docket No. SWAD-1-1002

Serial No.: 10/751,070

Group Art Unit: 3765

Filing Date: January 2, 2004

Examiner: Gloria M. Hale

Title: SWADDLING BLANKET

**PETITION TO WITHDRAW NOTIFICATION OF NON-COMPLIANT APPEAL BRIEF**

TO THE COMMISSIONER FOR PATENTS:

1. I hereby petition to withdraw the Notification of Non-Compliant Appeal Brief in this case on the basis that the Notice of Appeal was filed concurrent with the Pre-Appeal Brief Request.
2. I hereby state:

That on September 22, 2008, the Examiner sent a Notice of Panel Decision from Pre-Appeal Brief. The Request for Review filed on 30 June 2008 was denied, improperly, because, it is asserted, there was no Notice of Appeal filed concurrently with the Pre-Appeal Brief. In the attached declaration, Laura Byrne, my then-paralegal, points out that the two documents were filed concurrently by Electronic Filing. That being the case, Applicant renews its request for a Pre-Appeal Brief Review.
3. I attach a copy of the e-filing Acknowledgement Receipt received from the United States Patent and Trademark Office on June 30, 2008.
4. As additional evidence of non-receipt of the Office Action I also attach:

Other: Declaration of Laura Byrne.
5. In consideration of these submissions it is respectfully requested that the Notification of Non-Compliant Appeal Brief be withdrawn.
6. The petition fee is paid as follows:

  x   Via Electronic Funds Transfer in the amount of \$130.00.

       Please charge Deposit Account No. [ ] the sum of \$130.00. A duplicate of this petition is attached.

  x   Please charge Deposit Account No. [ 501050 ] for any fee deficiency or credit this account for any overpayment for this petition.

MAIL STOP PETITIONS

Respectfully submitted,

BLACK LOWE & GRAHAM<sup>PLLC</sup>



Mark L. Lorbiecki

Registration No. 45,643

Direct Dial: 206.903.1800

MAIL CERTIFICATE

I hereby certify that this communication is being deposited with the United States Postal Service via First Class Mail under 37 C.F.R. § 1.08 on the date indicated below addressed to: MAIL STOP PETITIONS, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

\_\_\_\_\_  
Date of Deposit

\_\_\_\_\_  
[Signer]

25315

CUSTOMER NUMBER

- 2 -

SWAD-1-1002Petition.doc

BLACK LOWE & GRAHAM<sup>PLLC</sup>



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Seattle, Washington 98104  
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**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicants: Damir et al.

Attorney Docket No. SWAD-1-1002

Serial No. 10/751,070

Group Art Unit: 3765

Filing Date: January 2, 2004

Examiner: Gloria M. Hale

Title: SWADDLING BLANKET

**DECLARATION OF LAURA BYRNE**

1. I was the patent paralegal to Mr. Mark Lorbiecki, of Black Lowe & Graham PLLC on June 30, 2008, the date relevant for the events in question. In the capacity of patent paralegal it was my responsibility to file with the United States Patent and Trademark Office (USPTO) all documents that Mr. Lorbiecki sought to have entered in the prosecution of various patent applications, among other duties. I was serving in that capacity on June 30, when Mr. Lorbiecki sought to effect the filing of papers suitable to institute an appeal of an Office Action rejecting claims in the above-entitled matter.

2. On June 30, 2008, in the course of my normal duties for Mr. Lorbiecki, Mr. Lorbiecki asked me to electronically file four documents: a Notice of Appeal Transmittal Letter, a Notice of Appeal (PTO/SB/31 form), a Pre-Appeal Brief Request for Review (PTO/SB/33 form), and a Statement in Support of Pre-Appeal Brief Request for Review. In response to his direction, I logged onto the Electronic filing portal of the USPTO using Mr. Lorbiecki's password, as is authorized by the USPTO. Once I had established the log-in, I electronically filed the four documents mentioned above in association with the above referenced patent application. Attached to this declaration are true and accurate copies of the four documents as filed and submitted to the United States Patent and Trademark Office as Exhibit A through D,

25315  
CUSTOMER NUMBER

- 1 -


SWAD-1-1002DEC Laura Byrne amended.doc

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Seattle, Washington 98104  
206.381.3300 • F: 206.381.3301

respectively. In response to my filing of these four documents, I received an Acknowledgement Receipt which I printed out. Also attached to this declaration as Exhibit E, is a true and accurate copy of the Acknowledgement Receipt from the USPTO which serves as evidence that the United States Patent and Trademark Office received the above mentioned documents.

3. I hereby further declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

DATED: This 10<sup>th</sup> day of October, 2008.

  
\_\_\_\_\_  
Laura Byrne

# **EXHIBIT A**

## **Notice of Appeal Transmittal Letter**

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant: Damir et al.

Attorney Docket No. SWAD-1-1002

Serial No.: 10/751,070

Group Art Unit: 3765

Filing Date: January 2, 2004

Examiner: Gloria M. Hale

Title: SWADDLING BLANKET

**NOTICE OF APPEAL TRANSMITTAL LETTER  
TO THE COMMISSIONER FOR PATENTS:**

**A. Notice of Appeal Transmittal**

Transmitted with this letter are the following:

- (1) Pre-Appeal Brief Request for Review,
- (2) Notice of Appeal, and
- (3) Statement.

**B. Additional Fee Charges or Credit for Overpayment**

The Commissioner is hereby authorized to charge any fees under 37 C.F.R. §§ 1.16, 1.17 and 1.18 which may be required during the entire pendency of the application, or credit any overpayment, to Deposit Account No. 501050. This authorization also hereby includes a request for any extensions of time of the appropriate length required upon the filing of any reply during the entire prosecution of this application.

Respectfully submitted,

BLACK LOWE & GRAHAM<sup>PLLC</sup>



Mark L. Lorbiecki  
Registration No. 45,643  
Direct Dial: 206.903.1800

**25315**  
CUSTOMER NUMBER

- 1 -


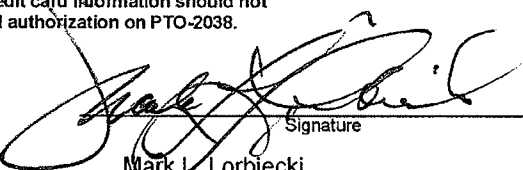
SWAD-1-1002TL04

BLACK LOWE & GRAHAM<sup>TM & ©</sup>  
  
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# **EXHIBIT B**

## **Notice of Appeal (PTO/SB/31 Form)**

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

<b>NOTICE OF APPEAL FROM THE EXAMINER TO THE BOARD OF PATENT APPEALS AND INTERFERENCES</b>		Docket Number (Optional) <b>SWAD-1-1002</b>	
I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to "Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450" [37 CFR 1.8(a)] on <u>June 30, 2008</u> Signature <u></u> Typed or printed name <u>Filed by EFS by Laura M. Byrne</u>		In re Application of <b>Lynette Damir et al.</b> Application Number <u>10/751,070</u> Filed <u>January 2, 2004</u> For <b>SWADDLING BLANKET</b> Art Unit <u>3765</u> Examiner <u>Gloria M. Hale</u>	
Applicant hereby appeals to the Board of Patent Appeals and Interferences from the last decision of the examiner.			
The fee for this Notice of Appeal is (37 CFR 41.20(b)(1))		\$ <u>510.00</u>	
<input checked="" type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. Therefore, the fee shown above is reduced by half, and the resulting fee is:		\$ <u>255.00</u>	
<input type="checkbox"/> A check in the amount of the fee is enclosed.			
<input type="checkbox"/> Payment by credit card. Form PTO-2038 is attached.			
<input type="checkbox"/> The Director has already been authorized to charge fees in this application to a Deposit Account. I have enclosed a duplicate copy of this sheet.			
<input checked="" type="checkbox"/> The Director is hereby authorized to charge any fees which may be required, or credit any overpayment to Deposit Account No. <u>501050</u> . I have enclosed a duplicate copy of this sheet.			
<input type="checkbox"/> A petition for an extension of time under 37 CFR 1.136(a) (PTO/SB/22) is enclosed.			
<b>WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.</b>			
I am the			
<input type="checkbox"/> applicant/inventor.			
<input type="checkbox"/> assignee of record of the entire interest. See 37 CFR 3.71. Statement under 37 CFR 3.73(b) is enclosed. (Form PTO/SB/96)			
<input checked="" type="checkbox"/> attorney or agent of record.		<div style="text-align: right;">             Signature  <u>Mark L. Lorbiecki</u>            Typed or printed name         </div>	
Registration number <u>45,643</u>		<u>206.903.1800</u> Telephone number	
<input type="checkbox"/> attorney or agent acting under 37 CFR 1.34.		<u>June 30, 2008</u> Date	
Registration number if acting under 37 CFR 1.34.			
NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required, see below*.			
<input checked="" type="checkbox"/> *Total of <u>1</u> forms are submitted.			

This collection of information is required by 37 CFR 41.31. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11, 1.14 and 41.6. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. **SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.**

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.


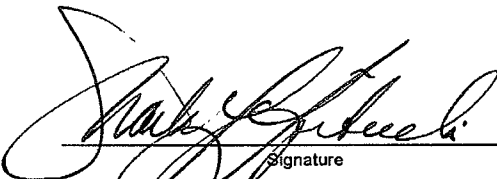


# **EXHIBIT C**

## **Pre-Appeal Brief Request for Review (PTO/SB/33 Form)**

Doc Code: AP.PRE.REQ

PTO/SB/33 (07-05)  
Approved for use through 07/31/2008. OMB 0651-0031  
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE  
Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

PRE-APPEAL BRIEF REQUEST FOR REVIEW		Docket Number (Optional) SWAD-1-1002	
I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to "Mail Stop AF, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450" [37 CFR 1.8(a)] on <u>June 30, 2008</u> Signature <u></u> Typed or printed name <u>Filed via EFS by Laura M. Byrne</u>		Application Number <u>10/751,070</u>	Filed <u>January 2, 2004</u>
		First Named Inventor <u>Lynette Damir</u>	
		Art Unit <u>3765</u>	Examiner <u>Gloria M. Hale</u>
<p>Applicant requests review of the final rejection in the above-identified application. No amendments are being filed with this request.</p> <p>This request is being filed with a notice of appeal.</p> <p>The review is requested for the reason(s) stated on the attached sheet(s). Note: No more than five (5) pages may be provided.</p>			
I am the <input type="checkbox"/> applicant/inventor. <input type="checkbox"/> assignee of record of the entire interest. See 37 CFR 3.71. Statement under 37 CFR 3.73(b) is enclosed. (Form PTO/SB/96) <input checked="" type="checkbox"/> attorney or agent of record. Registration number <u>45,643</u> <input type="checkbox"/> attorney or agent acting under 37 CFR 1.34. Registration number if acting under 37 CFR 1.34 _____		<u></u> Signature <u>Mark L. Lorbiecki</u> Typed or printed name <u>206.903.1800</u> Telephone number <u>June 30, 2008</u> Date	
NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required, see below*.			
<input checked="" type="checkbox"/> *Total of <u>1</u> forms are submitted.			

This collection of information is required by 35 U.S.C. 132. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11, 1.14 and 41.6. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop AF, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

# **EXHIBIT D**

## **Statement in Support of Pre-Appeal Brief Request for Review**

## STATEMENT IN SUPPORT OF PRE-APPEAL BRIEF REQUEST FOR REVIEW

### 1. Statement of Clear Error in Rejection

Claims 39, 41 and 44-51 are pending. In a Final Office Action dated April 30, 2008, the Examiner rejected Claims 39, 41, and 44-51 under 35 U.S.C. § 103(a) in light of *Isola et al.* (U.S. Patent No. 3,613,133) and common knowledge.

The rejection is in error for failing to realize that there exists a significant relationship between the blanket and the drawings on the blanket and that the relationship does bear patentable weight.

### 2. Response to Statements of the Office Action

The Office Action, at page 3, alleges that “[i]t has been held that when the claimed printed matter is not functionally related to the substrate, it will not distinguish the invention from the prior art in terms of patentability. Therefore when the prior art describes all of the claimed structural and functional relationships (in this case, the function of the printed matter on the blanket shows the placement of the user and wherein the blanket surfaces support the indicia, which is the same function as *Isola et al.* (between the descriptive material and the substrate, but prior art describes a different descriptive material than the claim, then the descriptive material is non-functional and will be given patentable weight.))”.

Applicants respectfully submit that the Office Action’s interpretation of the Applicants’ arguments may itself be a potential flaw sufficient to constitute a basis for reversal by the Appeals Board. Applicants raise this issue with the pre-appeal brief conference panel, in part, to preserve the Applicants’ right to appeal the final rejections on this basis alone.

The PTO argues that Applicants’ claim merely teaches a new use for an existing product. Thus, according to the PTO, in order to qualify for a patent, the printed matter must be functionally related to the underlying object. “The critical question is whether there exists any new and unobvious functional relationship between the printed matter and the substrate.” Applicants, on the other hand, respectfully suggest that the Examiner may misapprehend the requirement of relation as set forth in *In re Ngai*, 367 F.3d 1336, 1339 (Fed. Cir. 2004), upon which she relies:

The dispute between Ngai and PTO reduces to the question of the proper meaning of *Gulack*. The PTO has the better argument. In *Gulack*, the Board rejected a claim directed to a circular band designed for mathematical and educational purposes. The invention consisted of “(1) a band, ring, or set of concentric rings; (2) a plurality of individual digits imprinted on the band or ring at regularly spaced intervals; and (3) an algorithm by which the appropriate digits are developed.” The rejection was premised upon the fact that a circular band with items printed upon it was well known in the art. We reversed, finding that the numbers printed on the band had a functional relationship to the band itself. The Court stated: “the[] digits are related to the band in two ways: (1) the band supports the digits; and (2) there is an endless sequence of digits--each digit residing in a unique position with respect to every other digit in an endless loop. Thus, the digits exploit the endless nature of the band.” Although the prior art disclosed a band with printed matter, the Court concluded that the prior art neither “disclosed nor suggested either feature” of Gulack’s invention.

*In re Ngai*, 367 F.3d 1336, 1339 (Fed. Cir. 2004).

Differences between an invention and the prior art cited against it cannot be ignored merely because those differences reside in the content of the printed matter. *In re Gulack*, 703 F.2d 1381, 1385 (Fed. Cir. 1983). Under section 103, an Examiner cannot dissect a claim, excise the printed matter from it, and declare the remaining portion of the mutilated claim to be unpatentable. The claim must be read as a whole. If the Examiner meant to disregard that basic principle of claim interpretation, the PTO has committed a reversible error.

A “printed matter rejection” under § 103 stands on questionable legal and logical footing. Standing alone, the description of an element of the invention as printed matter tells nothing about the differences between the invention and the prior art or about whether that invention was suggested by the prior art. A printed matter rejection is based on case law antedating the 1952 patent act, employing a point of novelty approach. *In re Sterling*, 21 C.C.P.A. 1134, 70 F.2d 910, 21 U.S.P.Q. (BNA) 519 (1934). The 1952 act legislatively revised that approach through its requirement that the claim be viewed as a whole in determining obviousness. *Graham v. John Deere Co.*, 383 U.S. 1, 148 U.S.P.Q. (BNA) 459, 15 L. Ed. 2d 545, 86 S. Ct. 684 (1966). When it existed as such, the CCPA had considered all of the limitations of the claims, including the printed matter limitations, in determining whether the invention would have been obvious. *See In re Royka*, 490 F.2d 981, 180 U.S.P.Q. (BNA) 580 (CCPA 1974); *In re Cavrigh*, 59 C.C.P.A. 883, 451 F.2d 1091, 172 U.S.P.Q. (BNA) 121 (1971). In *Royka*, 490 F.2d at 985, 180 U.S.P.Q. (BNA) at 583, the CCPA, notably weary of reiterating this point, clearly stated that printed matter may well constitute structural limitations upon which patentability can be predicated.

Obviousness is a statutory creature now defined in 35 U.S.C. § 103 (2004). The Supreme Court of the United States and the Federal Circuit Court of Appeals have provided further guidance for resolving the question of obviousness. “An obviousness determination is **not the result of a rigid formula** disassociated from the consideration of the facts of a case. Indeed, the common sense of those skilled in the art demonstrates why some combinations would have been obvious where others would not. See *KSR Int’l Co. v. Teleflex Inc.*, 127 S.Ct. 1727, 1739, 167 L.Ed.2d 705 (2007).” *Leapfrog Ent., Inc. v. Fisher-Price, Inc.*, 485 F.3d 1157, 82 USPQ2d 1687 (Fed. Cir. 2007). (Emphasis added.)

Section 103 specifically provides that: “[a] patent may not be obtained if the differences between the subject matter sought to be patented and the prior art are such that the subject matter **as a whole** would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains.” (Emphasis added.) See *Graham*, 383 U.S. 1, 148 U.S.P.Q. (BNA) 459, 15 L. Ed. 2d 545, 86 S. Ct. 684; *Flook*, 437 U.S. at 594 n.16, 198 U.S.P.Q. (BNA) at 199 n.16 (noting the § 103 requirement of reading claims as a whole and extending that requirement to § 101); *Diamond v. Diehr*, 450 U.S. 175, 188, 209 U.S.P.Q. (BNA) 1, 9, 67 L. Ed. 2d 155, 101 S. Ct. 1048 (1981) (also applying that requirement in a § 101 setting); *Royka*, 490 F.2d at 985, 180 U.S.P.Q. (BNA) at 583. The Examiner is not willing to view any part of the claims referring to the printed matter as a part of those claims. *In re Gulack*, 703 F.2d 1381, 1385 (Fed. Cir. 1983) is still good law. Obviousness requires a suggestion of all limitations in a claim. *CFMT, Inc. v. YieldUp Int’l Corp.*, 349 F.3d 1333, 1342 (Fed. Cir. 2003).

Applicants further respectfully suggest the gravamen of declarations by persons skilled in the art, implicating the secondary considerations as to obviousness. Attachment 1 to the Response to Office Action is the Declaration of Lynette Damir, R.N., the inventor of the invention, taught in the instant application; Attachment 2 to the same Response is the declaration of Pamela Jordan, Ph.D., R.N. Each of the declarations addresses the absence of a similar product in the marketplace and the surprising results. Both go on to assert additional indicia of uniqueness of the instant invention in the manner set forth as “secondary considerations” in *Graham v. John Deere Co.*, 383 U.S. 1 (1966), where the United States Supreme Court clarified the nonobviousness requirement in United States patent law, set forth in 35 U.S.C. § 103.

Applicants are further concerned about the inconsistent nature of the Examiner's stance. Early on, the Examiner cited *Ketch* (U.S. Patent No. 5,282,749) against the application. Yet, *Ketch* specifically shows the decorative indicia emblazoned on clothes to teach young people how to fold those clothes. Is the Examiner arguing that *Ketch* is an invalid patent, as the very same prior art and arguments would be similarly applicable against *Ketch*? Indeed, the Examiner appears to be asserting that claims to any sort of markings that teach, such as the miter marks of *Bonneville* (U.S. Patent No. 4,934,939); the position marks of *Metzger* (U.S. Patent No. 4,530,349); indication elements of *Posta* (U.S. Patent No. 4,253,197); the paired indicia of *Benjamin* (U.S. Patent No. 3,878,638) over examples of the prior art clothing and bed sheets lacking the indicia and that, per se, these, too, are invalid patents. It appears that the Examiner would find that inch or metric gradations on a stick would not make that ruler patently distinct from an unmarked stick. In short, the claims to the illustrations are related to the blanket, itself; the instant case is much more like *Gulack* than *Nagai*.

### 3. Conclusion

Applicants wish to thank the pre-appeal brief conference panel for their time and for consideration of the issues raised herein. The pre-appeal brief conference program is believed to be a very efficient and effective tool for advancing prosecution of an Application, and Applicants strongly support the continued use of this program.

Applicants respectfully submit that all objections and/or rejections have been traversed, rendered moot, and/or accommodated, and that all pending claims are allowable.

Respectfully submitted,

BLACK LOWE & GRAHAM<sup>PLLC</sup>



Mark L. Lorbiecki  
Registration No. 45,643  
Direct Dial: 206.903.1800

# **EXHIBIT E**

## **Acknowledgement Receipt**



Electronic Acknowledgement Receipt	
<b>EFS ID:</b>	3546085
<b>Application Number:</b>	10751070
<b>International Application Number:</b>	
<b>Confirmation Number:</b>	1245
<b>Title of Invention:</b>	Swaddling blanket
<b>First Named Inventor/Applicant Name:</b>	Lynette Damir
<b>Customer Number:</b>	25315
<b>Filer:</b>	Mark Lawrence Lorbiecki/Laura Byrne
<b>Filer Authorized By:</b>	Mark Lawrence Lorbiecki
<b>Attorney Docket Number:</b>	SWAD-1-1002
<b>Receipt Date:</b>	30-JUN-2008
<b>Filing Date:</b>	02-JAN-2004
<b>Time Stamp:</b>	20:04:18
<b>Application Type:</b>	Utility under 35 USC 111(a)

### Payment information:

Submitted with Payment	yes
Payment Type	Electronic Funds Transfer
Payment was successfully received in RAM	\$ 255
RAM confirmation Number	5578
Deposit Account	
Authorized User	

### File Listing:

Document Number	Document Description	File Name	File Size(Bytes) /Message Digest	Multi Part /.zip	Pages (if appl.)
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1	Miscellaneous Incoming Letter	SWAD-1-1002TL04-final.pdf	85195	no	1
			c62c4cd465a0e8929418072aaaaaba5f525ddc67		
Warnings:					
Information:					
2	Notice of Appeal Filed	SWAD-1-1002NoticeofAppeal-final.pdf	75344	no	1
			872f1c748b97e92dba675e9c3d7a0f81e1e01ad2		
Warnings:					
Information:					
3	Appeal Brief Filed	SWAD-1-1002Pre-AppealBriefRequestForReview-final.pdf	66220	no	1
			fb9a00356b89cf59f017bab86e63553f50dfc50		
Warnings:					
Information:					
4	Miscellaneous Incoming Letter	SWAD-1-1002StatementinSupportofPre-AppealBriefRequestforReview-final.pdf	102481	no	4
			528291aace85c77bf44160fb4ed182534a6e4147		
Warnings:					
Information:					
5	Fee Worksheet (PTO-06)	fee-info.pdf	8117	no	2
			31501990b79e3464b29fdd404c2bfc74f74b24ff		
Warnings:					
Information:					
Total Files Size (in bytes):			337357		
<p>This Acknowledgement Receipt evidences receipt on the noted date by the USPTO of the indicated documents characterized by the applicant, and including page counts, where applicable. It serves as evidence of receipt similar to a Post Card, as described in MPEP 503.</p> <p><b><u>New Applications Under 35 U.S.C. 111</u></b> If a new application is being filed and the application includes the necessary components for a filing date (see 37 CFR 1.53(b)-(d) and MPEP 506), a Filing Receipt (37 CFR 1.54) will be issued in due course and the date shown on this Acknowledgement Receipt will establish the filing date of the application.</p> <p><b><u>National Stage of an International Application under 35 U.S.C. 371</u></b> If a timely submission to enter the national stage of an international application is compliant with the condition of 35 U.S.C. 371 and other applicable requirements a Form PCT/DO/EO/903 indicating acceptance of the application as a national stage submission under 35 U.S.C. 371 will be issued in addition to the Filing Receipt, in due course.</p> <p><b><u>New International Application Filed with the USPTO as a Receiving Office</u></b> If a new international application is being filed and the international application includes the necessary components for an international filing date (see PCT Article 11 and MPEP 1810), a Notification of the International Application Number and of the International Filing Date (Form PCT/RO/105) will be issued in due course, subject to prescriptions concerning national security, and the date shown on this Acknowledgement Receipt will establish the international filing date of the application.</p>					